

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1099 be amended to read as follows:

- 1 Page 5, between lines 12 and 13, begin a new paragraph and insert:
- 2 **""Responding fire department" means the paid fire department**
- 3 **or volunteer fire department that renders fire protection services**
- 4 **to a political subdivision."**
- 5 Page 9, line 18, after "building" insert **"safety"**.
- 6 Page 9, line 23, after "occurred;" delete "or".
- 7 Page 9, line 26, after "building" insert **"safety"**.
- 8 Page 9, line 29, delete "commission." and insert **"safety**
- 9 **commission; or"**.
- 10 Page 9, between lines 29 and 30, begin a new line block indented and
- 11 insert:
- 12 **"(3) complies with the rules adopted after July 3, 2003, by the**
- 13 **fire prevention and building safety commission established**
- 14 **under IC 22-12-2-1 for an M building occupancy under the**
- 15 **Indiana building code."**
- 16 Page 9, line 32, after "(c)" insert **"This subsection does not apply**
- 17 **to a structure identified in subsection (b)(1), (b)(2), or (b)(3)."**
- 18 Page 10, line 8, after "sold." insert **"The state fire marshal may**
- 19 **delegate this responsibility to a responding fire department with**
- 20 **jurisdiction over the tent or structure subject to the policies and**
- 21 **procedures of the state fire marshal.**
- 22 **(e) A retailer shall file an application for each retail location on**
- 23 **a form to be provided by the state fire marshal."**
- 24 Page 10, line 40, strike "A retailer that offers the items for sale to".
- 25 Page 10, strike lines 41 through 42.
- 26 Page 11, line 1, strike "retailer purchases the items."
- 27 Page 11, line 27, delete "or".
- 28 Page 11, line 27, after "10" insert **", or 11(b)"**.
- 29 Page 13, line 13, strike "supervisor" and insert **"salesperson"**.
- 30 Page 13, line 13, strike "sixteen (16)" and insert **"eighteen (18)"**.

Page 14, between lines 33 and 34, begin a new paragraph and insert:
 "SECTION 12. IC 22-11-14-11 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE MAY 1, 2006]: **Sec. 11. (a) A retailer may not sell
 consumer fireworks until the retailer has:**

**(1) filed the application required under section 4.5(e) of this
 chapter with the state fire marshal for each location from
 which the retailer proposes to sell the consumer fireworks
 which must be filed on an annual basis; and**

(2) paid an accompanying registration fee of:

(A) one thousand dollars (\$1,000) for the first location;

**(B) five hundred dollars (\$500) for each additional sales
 location in a tent; and**

**(C) two hundred dollars (\$200) for each additional sales
 location in a structure;**

**from which the retailer proposes to sell the consumer
 fireworks.**

**Upon receipt of the completed application form and the
 accompanying fee, the state fire marshal will issue a certificate of
 compliance to the retailer for each sales location.**

**(b) A person may not sell consumer fireworks at retail when a
 certificate of compliance from the state fire marshal has not been
 issued for the location at which the consumer fireworks will be
 sold.**

**(c) A certificate of compliance issued to a retailer of consumer
 fireworks is not transferable."**

Page 14, line 34, delete "22-11-14-11" and insert "22-11-14-12".

Page 14, line 36, delete "11." and insert "12.".

Page 15, line 7, after "(c)" insert ".".

Page 15, line 7, delete "and in".

Page 15, delete line 8.

Page 15, line 9, delete "22-11-14-12" and insert "22-11-14-13".

Page 15, line 11, delete "12." and insert "13.".

Page 15, line 36, delete "11" and insert "12".

Page 16, line 37, delete "IC 35-47-7-6 IS" and insert "THE
 FOLLOWING ARE".

Page 16, line 38, delete "." and insert ": IC 22-11-14.5-2;
 IC 35-47-7-6.".

Page 17, between lines 22 and 23, begin a new paragraph and insert:
 "SECTION 20. [EFFECTIVE UPON PASSAGE] **(a)
 Notwithstanding IC 22-11-14-2(a) and IC 22-11-14-8(d), both as
 amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both
 as added by this act, the fire prevention and building safety
 commission shall carry out the duties imposed upon it by this act
 with respect to the matters referred to in IC 22-11-14-2(a) and
 IC 22-11-14-8(d), both as amended by this act, and IC 22-11-14-3.5**

1 and IC 22-11-14-15, both as added by this act, under interim
 2 written guidelines approved by the state fire marshal.

3 (b) This SECTION expires on the earlier of the following:

4 (1) The date rules are respectively adopted under
 5 IC 22-11-14-2(a) and IC 22-11-14-8(d), both as amended by
 6 this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both as
 7 added by this act.

8 (2) December 31, 2007.

9 SECTION 21. [EFFECTIVE UPON PASSAGE] (a)
 10 Notwithstanding IC 22-11-14-12(d) and IC 22-11-14-15, both as
 11 added by this act, the department of state revenue shall carry out
 12 the duties imposed upon it by this act with respect to the matters
 13 referred to in IC 22-11-14-12(d) and IC 22-11-14-15, both as
 14 added by this act, under interim written guidelines approved by
 15 the commissioner of the department of state revenue.

16 (b) This SECTION expires on the earlier of the following:

17 (1) The date rules are respectively adopted under
 18 IC 22-11-14-12(d) and IC 22-11-14-15, both as added by this
 19 act.

20 (2) December 31, 2007.".

21 Renumber all SECTIONS consecutively.

(Reference is to EHB 1099 as printed February 24, 2006.)

Senator WEATHERWAX